

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK (BROOKLYN)

-----: :  
: :  
UNITED STATES OF AMERICA, : Case No.: 22-cr-0458  
Plaintiff, : Brooklyn, New York  
: November 16, 2023  
v. : 1:23 p.m. - 2:51 p.m.  
: :  
JIN HUA ZHANG, :  
Defendant. :  
-----:

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE JAMES R. CHO  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For Government: UNITED STATES ATTORNEY'S OFFICE  
EASTERN DISTRICT OF NEW YORK  
BY: Benjamin Weintraub, AUSA  
Raffaella Belizaire, AUSA  
271-A Cadman Plaza East  
Brooklyn New York 11201

For Defendant: JOHN F. CARMAN, ESQ.  
Jin Hua Zhang 666 Old Country Road  
Suite 501  
Garden City, New York 11530

Proceedings recorded by electronic sound recording;  
Transcript produced by transcription service

1 THE DEPUTY CLERK: Good afternoon.

2 Criminal cause for pleading, 22-cr-458; USA  
3 versus Jin Hua Zhang.

4 Please state your appearance for the  
5 record, starting with the government.

6 MR. WEINTRAUB: Good afternoon, Your Honor.

7 Benjamin Weintraub and Raffaella Belizaire  
8 for the United States.

9 THE COURT: Good afternoon.

10 MR. CARMAN: It's John Carman for the  
11 defendant. Good afternoon, Your Honor.

12 THE COURT: Good afternoon.

13 Do we need to swear the interpreter?

14 THE DEPUTY CLERK: Please stand. Raise  
15 your right hand.

16 Do you solemnly swear or affirm that you  
17 will well and truly interpret the proceedings now  
18 before the Court?

19 THE INTEPRETER: Yes, I do.

20 THE DEPUTY CLERK: Please state your name.

21 THE INTEPRETER: Lisa Lu; L-I-S-A, L-U.  
22 Mandarin interpreter.

23 THE COURT: All right. Thank you.

24 Counsel, can you do me a favor, can you  
25 spell your name for the record one more time.

1 MR. CARMAN: C-A-R-M-A-N. First name,  
2 John.

3 THE COURT: Okay.

4 All right. Tasha, do we have someone on  
5 the phone as well?

6 THE DEPUTY CLERK: Yes.

7 THE COURT: Okay. Just want to make sure  
8 we're connected.

9 THE DEPUTY CLERK: Okay.

10 THE COURT: All right. Let me get started.  
11 Just to confirm, are you Jin Hua Zhang?

12 THE INTERPRETER: Yes, Your Honor.

13 THE COURT: All right.

14 How do you pronounce your name?

15 THE DEFENDANT: Jin Hua Zhang.

16 THE COURT: Zhang. Okay.

17 Good afternoon. I'm Judge Cho. Let me  
18 explain to you what's going to happen today.

19 I'm advised by your attorney that you wish  
20 to plead guilty to some of the charges in the  
21 indictment that has been filed against you; is that  
22 correct?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: All right. Now, this is a very  
25 serious decision, and I have to make sure you

1 understand all of your rights and the consequences  
2 of your plea. I will have to ask you some questions  
3 that will require that your answers be made under  
4 oath. So at this time, my deputy will swear you in.

5 THE DEPUTY CLERK: Please stand and raise  
6 your right hand.

7 Do you solemnly swear or affirm that the  
8 answers in the plea that you're about to give to the  
9 Court shall be the truth, the whole truth, and  
10 nothing but the truth?

11 THE DEFENDANT: Yes.

12 THE DEPUTY CLERK: You can have a seat.

13 THE COURT: Mr. Zhang, do you understand  
14 that having been sworn, your answers to my questions  
15 will be subject to the penalties of perjury or of  
16 making a false statement if you do not answer  
17 truthfully?

18 Do you understand that?

19 THE INTEPRETER: Yes.

20 THE COURT: That means if you answer  
21 falsely to any of my questions, the government may  
22 prosecute you for perjury or making a false  
23 statement, and may use any of your false statements  
24 today during that prosecution.

25 Do you understand?

1 THE INTEPRETER: Yeah. Yes.

2 THE COURT: Mr. Zhang, I first want you to  
3 understand, this is Judge DeArcy Hall's case. She  
4 is the judge who will sentence you and make the  
5 ultimate decision as to whether to accept your  
6 guilty plea or not.

7 If you wish, you have the absolute right to  
8 plead before her, and there will be no prejudice to  
9 you. Or if you wish, I will listen to your plea. A  
10 transcript will be made by a court reporter, and  
11 then Judge DeArcy Hall will review the transcript in  
12 connection with your sentence.

13 Do you understand that?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Do you wish to give up your  
16 rights to have Judge DeArcy Hall hear your plea, and  
17 instead proceed before me today?

18 THE DEFENDANT: Yes, Your Honor.

19 THE INTERPRETER: Yes.

20 THE COURT: Do you make this decision  
21 voluntarily and of your own free will?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: Has anyone threatened you or  
24 have any promises been made to you to induce you to  
25 plead before me?

1 THE DEFENDANT: No, Your Honor.

2 THE COURT: All right. I have in front of  
3 me a form entitled "Consent to Have a Plea taken  
4 Before United States Magistrate Judge."

5 I just want to confirm, you signed this  
6 consent form; is that correct?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: All right. Now, before you  
9 signed this consent form, did you have a chance to  
10 discuss this form with your lawyer?

11 THE DEFENDANT: Yes.

12 THE COURT: All right. I will go ahead and  
13 endorse that, having confirmed all the signatures.

14 Also confirm, Mr. Weintraub, you also  
15 signed this consent form, correct?

16 MR. WEINTRAUB: Yes, Your Honor.

17 THE COURT: Now, Mr. Zhang, before  
18 accepting your plea, there are a number of questions  
19 I have to ask you to assure myself that today's plea  
20 is valid.

21 If you do not understand any of my  
22 questions, please say so, and I'll rephrase the  
23 question.

24 THE DEFENDANT: Okay.

25 THE COURT: What is your full name?

1 THE DEFENDANT: Jin Hua Zhang.

2 THE COURT: How old are you?

3 THE DEFENDANT: 36.

4 THE COURT: 36?

5 THE INTEPRETER: 36, yes.

6 THE COURT: All right. What schooling or  
7 education have you had?

8 THE DEFENDANT: Middle school.

9 THE COURT: Middle school?

10 THE INTERPRETER: Middle school.

11 THE DEFENDANT: Yeah.

12 THE COURT: All right. Why don't you pull  
13 the microphone a little bit closer to you so I can  
14 hear both of you then. All right.

15 Are you able to speak, understand English?

16 THE DEFENDANT: I can understand a little  
17 bit and speak a little bit.

18 THE COURT: Understood.

19 So we do have an interpreter here today who  
20 will interpret everything for you. If you have any  
21 issues with the interpretation, please let us know;  
22 okay?

23 THE DEFENDANT: Okay. Thank you.

24 THE COURT: All right. Are you under the  
25 care of a doctor or a psychiatrist for any reason?

1 THE DEFENDANT: No.

2 THE COURT: In the past 24 hours, have you  
3 taken any drugs, medicine, pills or consumed any  
4 alcoholic beverages?

5 THE DEFENDANT: No, Your Honor. No, Your  
6 Honor.

7 THE COURT: Have you ever been hospitalized  
8 or treated for drug addiction, alcoholism or mental  
9 or emotional problems?

10 THE DEFENDANT: No, Your Honor.

11 THE COURT: Okay. I see that you're  
12 answering before the interpreter interprets for you.  
13 Why don't you let her still interpret for you.

14 THE DEFENDANT: Okay.

15 THE COURT: Okay? And you can still answer  
16 after she's done with the interpretation, all right.  
17 I just want to make sure you understand everything  
18 that's going on today.

19 Is your mind clear today, Mr. Zhang?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you understand what's going  
22 on here today?

23 THE DEFENDANT: Yes.

24 THE COURT: Do you understand everything  
25 I've asked you so far?



1 THE DEFENDANT: Yes.

2 THE COURT: Mr. Zhang, as a defendant in a  
3 criminal case, you have the right to be represented  
4 by a lawyer at every stage of your criminal case,  
5 from when you are arrested through trial and appeal.  
6 If you cannot afford a lawyer, the Court will  
7 appoint a lawyer to represent you.

8 Do you understand your right to counsel?

9 THE DEFENDANT: Yes.

10 THE COURT: Is Mr. Carman, who is seated  
11 next to you, one of your lawyers?

12 THE DEFENDANT: Yes.

13 THE COURT: If at any time you wish to  
14 consult with him regarding anything, please let me  
15 know, and I'll permit you to do so.

16 Do you understand?

17 THE DEFENDANT: Thank you.

18 THE COURT: Have you had any difficulty in  
19 communicating with your lawyer, either directly or  
20 through an interpreter?

21 THE DEFENDANT: No.

22 THE COURT: Have you had enough time to  
23 discuss with your lawyer your decision to enter a  
24 plea of guilty in this case?

25 THE DEFENDANT: Yes.

1 THE COURT: Are you fully satisfied with  
2 the representation and advice your attorney has  
3 given to you so far?

4 THE DEFENDANT: Yes.

5 THE COURT: Mr. Carman, let me turn over to  
6 you.

7 Have you discussed this matter with your  
8 client?

9 MR. CARMAN: Yes, Your Honor.

10 THE COURT: And have you had any difficulty  
11 in communicating with your client, either directly  
12 or through an interpreter?

13 MR. CARMAN: No, Your Honor.

14 THE COURT: Are you satisfied that your  
15 client understands the rights he's waiving by  
16 pleading guilty today?

17 MR. CARMAN: I am.

18 THE COURT: Is he capable of understanding  
19 the nature of these proceedings?

20 MR. CARMAN: Yes, Your Honor.

21 THE COURT: Do you have any doubt at all  
22 about his competence to plead at this time?

23 MR. CARMAN: I do not.

24 THE COURT: Have you advised him of the  
25 maximum and minimum sentence and fine that could be

1 imposed on him?

2 MR. CARMAN: Yes, Your Honor.

3 THE COURT: Have you discussed with him the  
4 operation of the sentencing guidelines and how those  
5 guidelines could affect his case?

6 MR. CARMAN: Yes, Your Honor.

7 THE COURT: At this time I will be  
8 referring to the indictment.

9 Mr. Zhang, do you have a copy of the  
10 indictment in front of you?

11 THE DEFENDANT: Yes.

12 THE COURT: All right. And, Mr. Zhang,  
13 have you had a chance to read the indictment, either  
14 with the assistance of an interpreter or on your  
15 own?

16 THE DEFENDANT: Yes.

17 THE COURT: All right.

18 Now, Count 1 of the indictment charges you  
19 with the crime of conspiracy to commit bank fraud.

20 Count 8 charges you with the crime of  
21 conspiracy to operate an unlicensed money  
22 transmitting business.

23 Count 10 charges you with conspiracy to  
24 commit wire fraud.

25 Count 11 charges you with conspiracy to

1 commit money laundering.

2 Count 27 charges you with aggravated  
3 identity theft.

4 And finally, Count 28 charges you with  
5 conspiracy to commit passport fraud.

6 Have you reviewed these charges against  
7 you?

8 THE DEFENDANT: Yes.

9 THE COURT: All right. And do you believe  
10 you understand the nature of the charges against  
11 you?

12 THE DEFENDANT: Yes.

13 THE COURT: All right. I also note that  
14 there are some forfeiture allegations as well.

15 THE DEFENDANT: Yes.

16 THE COURT: In order for the government to  
17 convict you of these offenses, it would have to  
18 prove several elements beyond a reasonable doubt.

19 At this time I will read the elements of  
20 the charges -- or for the charges, and when I am  
21 done, I'll ask the attorneys to confirm that I've  
22 accurately identified the elements for the charges.

23 Count 1, conspiracy to commit bank fraud.

24 For the interpreter, I'm going to be  
25 reading the elements. If I go too fast, let me

1 know, okay?

2 The elements of conspiracy to commit bank  
3 fraud are as follows: Two or more people form an  
4 unlawful agreement to commit the crime of bank  
5 fraud, and the defendant knowingly and intentionally  
6 joined the conspiracy.

7 The elements of bank fraud are as follows:

8 First, there was a scheme to defraud a  
9 bank.

10 Two, the defendant executed or attempted to  
11 execute the scheme with the intent to defraud the  
12 bank.

13 And three, at the time of the execution of  
14 the scheme, the bank had its deposits insured by the  
15 Federal Deposit Insurance Corporation.

16 All right. It looks like you have the  
17 element sheet in front of you, correct? I am  
18 reading from the same element sheet, okay? So  
19 hopefully that will expedite the process.

20 All right. Count 8, conspiracy to operate  
21 an unlicensed money transmitting business are as  
22 follows:

23 First, two or more persons entered the  
24 unlawful agreement to operate an unlicensed money  
25 transmitting business.

1           Second, the defendant knowingly and  
2 willfully became a member of the conspiracy.

3           Third, one of the members of the conspiracy  
4 knowingly committed at least one of the overt acts  
5 charged in the indictment.

6           And fourth, the overt act was committed to  
7 further some objective of the conspiracy.

8           The elements of operating an unlicensed  
9 money transmitting business are as follows:

10           First, the business was an unlicensed money  
11 transmitting business. Second, the defendant  
12 knowingly controlled, conducted, managed,  
13 supervised, directed or owned that business. And  
14 third, the money transmitting business affected  
15 interstate commerce.

16           Count 10, conspiracy to commit wire fraud.  
17 The elements of conspiracy to commit wire fraud are  
18 as follows:

19           First, two or more people formed an  
20 unlawful agreement to commit the crime of wire  
21 fraud. Second, the defendant knowingly and  
22 intentionally joined the conspiracy.

23           The elements of wire fraud are as follows:

24           First, there was a scheme or artifice to  
25 defraud or to obtain money or property by materially

1 false and fraudulent pretenses, representations or  
2 promises.

3 Second, the defendant knowingly and  
4 willfully participated in the scheme or artifice to  
5 defraud with knowledge of its fraudulent nature and  
6 with specific intent to defraud.

7 And third, in the execution of that scheme,  
8 the defendant used or caused the use of interstate  
9 wires.

10 Count 11, conspiracy to commit money  
11 laundering. The elements of conspiracy to commit  
12 money laundering are as follows:

13 First, there was an agreement between two  
14 or more persons to commit money laundering. Second,  
15 the defendant knowingly and intentionally became a  
16 member of the conspiracy.

17 The elements of money laundering are as  
18 follows:

19 First, the defendant engaged in a monetary  
20 transaction in or affecting interstate commerce.

21 Second, the monetary transactions involved  
22 criminally derived property of a value greater than  
23 \$10,000.

24 Third, the property was derived from  
25 specific unlawful activity.

1 Fourth, the defendant acted with knowledge  
2 that the transaction involved proceeds of a criminal  
3 offense.

4 And fifth, the transaction took place in  
5 the United States, or the defendant is a United  
6 States citizen, national or permanent resident.

7 Count 20, aggravated identity theft. The  
8 elements of aggravated identity theft are as  
9 follows:

10 First, the defendant knowingly transferred,  
11 possessed or used a means of identification of  
12 another person.

13 Second, the defendant used a means of  
14 identification during and in relation to the offense  
15 of felony violation enumerated in subsection (c).  
16 I'll be referring to footnote 9 at this time.

17 18 U.S.C. § 1028A(c)(5) states that, "For  
18 purposes of this section, the term 'felony violation  
19 enumerated in subsection (c)' means any offense that  
20 is a felony violation of any provision contained in  
21 Chapter 63 (relating to mail, bank, and wire  
22 fraud)." This includes conspiracy to commit wire  
23 fraud.

24 And third, the defendant acted without  
25 lawful authority.



1 Count 28, conspiracy to commit passport  
2 fraud. The elements are as follows:

3 First, two or more persons entered the  
4 unlawful agreement to commit passport fraud.

5 Second, the defendant knowingly and  
6 willfully became a member of the conspiracy.

7 Third, one of the members of the conspiracy  
8 knowingly committed at least one of the overt acts  
9 charged in the indictment.

10 And fourth, the overt act was committed to  
11 further some objective of the conspiracy.

12 The elements of passport fraud are as  
13 follows --

14 THE INTERPRETER: Which one is the text  
15 for?

16 THE COURT: Very last page.

17 MR. CARMAN: Just interpret. I don't know  
18 why that's missing.

19 THE INTERPRETER: Okay. Here.

20 MR. CARMAN: Got it? Okay. Good.

21 THE COURT: All right. Should I repeat  
22 that?

23 The elements of passport fraud are as  
24 follows:

25 THE INTERPRETER: Okay.

1           THE COURT: First, the defendant willingly  
2 and knowingly; 2, used, attempted to use or  
3 furnished to another for use; 3, a false, forged,  
4 counterfeited, mutilated or altered passport or  
5 instrument purporting to be a passport, or any  
6 passport validly issued which has become void by the  
7 occurrence of any condition therein described,  
8 invalidating the same.

9           Let me turn to the government.

10          Have I accurately identified the elements  
11 of the charges?

12          MR. WEINTRAUB: Yes, Your Honor.

13          THE COURT: All right.

14          Mr. Carman, do you agree?

15          MR. CARMAN: I do.

16          THE COURT: Turning back to you, Mr. Zhang,  
17 have you had a conversation with your lawyer where  
18 he went over with you what the government would have  
19 to prove beyond a reasonable doubt with respect to  
20 these charges?

21          THE DEFENDANT: Yes.

22          THE COURT: And do you understand the  
23 charges and what the government would have to prove  
24 to convict you of those charges?

25          THE DEFENDANT: Yes.

1           THE COURT: What I want to do now is go  
2 over with you the rights that you have and the  
3 rights that you will be giving up if you plead  
4 guilty.

5           First of all, you have the right to plead  
6 not guilty. Do you understand that?

7           THE DEFENDANT: Yes.

8           THE COURT: What this means is that even if  
9 you are guilty, you have a choice. It is up to you  
10 to decide what to do, not your lawyer or anyone  
11 else.

12          THE DEFENDANT: Yes.

13          THE COURT: You may withdraw your  
14 previously entered plea of not guilty and plead  
15 guilty, as you apparently wish to do, or you may  
16 choose to go to trial simply by persisting in your  
17 plea of not guilty.

18          Do you understand?

19          THE INTERPRETER: Sorry, Judge. The second  
20 part?

21          THE COURT: All right.

22          Or you may choose to go to trial simply by  
23 persisting in your plea of not guilty.

24          Do you understand?

25          THE DEFENDANT: Yes.

1           THE COURT: If you plead not guilty to the  
2 charges, you would have the right under the  
3 Constitution and laws of the United States to a  
4 speedy and public trial.

5           THE DEFENDANT: Yes.

6           THE COURT: And this trial would be before  
7 a jury with the assistance of your lawyer on the  
8 charges contained in the indictment.

9           Do you understand?

10          THE DEFENDANT: Yes.

11          THE COURT: At any trial, you would be  
12 presumed innocent. You would not have to prove that  
13 you are innocent. Under our legal system, it is the  
14 government that has the burden of proof beyond a  
15 reasonable doubt that you are guilty of the crimes  
16 charged.

17          If, at any trial, the government would fail  
18 to meet the burden of proof, the jury would have to  
19 find you not guilty.

20          Do you understand?

21          THE DEFENDANT: Yes.

22          THE COURT: That is why sometimes juries  
23 return verdicts of not guilty even though the jurors  
24 believe the defendant on trial probably committed  
25 the crime charged.

1 THE DEFENDANT: Yes.

2 THE COURT: When a jury returns a  
3 not-guilty verdict, the jurors are not saying they  
4 believe the defendant is innocent. They are merely  
5 saying they are not convinced beyond a reasonable  
6 doubt that the defendant is guilty.

7 Do you understand that difference?

8 THE DEFENDANT: Yes.

9 THE COURT: In the course of the trial,  
10 witnesses for the government would have to come into  
11 court and testify in your presence.

12 THE DEFENDANT: Yes.

13 THE COURT: Your lawyer would have the  
14 right to cross examine each witness, to object to  
15 evidence offered by the government, and could offer  
16 evidence on your own behalf.

17 Do you understand?

18 THE DEFENDANT: Yes.

19 THE COURT: Your lawyer would also have the  
20 right to subpoena or compel witnesses to testify in  
21 court on your behalf as well.

22 Under the Constitution and laws of the  
23 United States, no person can be forced to be a  
24 witness against himself.

25 THE DEFENDANT: Yes.

1           THE COURT: If you had a trial and did not  
2 testify, Judge DeArcy Hall would instruct the jury  
3 that they could not hold that against you.

4           Do you understand?

5           THE DEFENDANT: Yes.

6           THE COURT: If, instead of going to trial  
7 you plead guilty to the crimes charged, and if  
8 Judge DeArcy Hall accepts your guilty plea, you'll  
9 be giving up your constitutional right to a trial  
10 and all the other rights I've just discussed.

11          THE DEFENDANT: Yes.

12          THE COURT: There will be no trial in this  
13 case. The Court will simply enter judgment of  
14 guilty based upon your plea.

15          Do you understand?

16          THE DEFENDANT: Okay.

17          THE COURT: So if you do plead guilty, I  
18 will have to ask you questions about what you did in  
19 order to satisfy myself and Judge DeArcy Hall that  
20 you are guilty of the crimes charged.

21          THE DEFENDANT: Yes.

22          THE COURT: You are going to have to answer  
23 my questions and acknowledge your guilt.

24          THE DEFENDANT: Okay.

25          THE COURT: This means that you'll be

1 giving up your right not to testify against  
2 yourself.

3 Do you understand?

4 THE DEFENDANT: Yes.

5 THE COURT: If you enter a plea of guilty  
6 today and you admit the criminal conduct alleged in  
7 the indictment and Judge DeArcy Hall accepts your  
8 plea, you cannot appeal to a higher court on whether  
9 you committed the crime or not.

10 THE DEFENDANT: Okay. Yes.

11 THE COURT: You understand that?

12 THE DEFENDANT: Yes.

13 THE COURT: Okay. Are you willing to give  
14 up your right to a trial and all the other rights I  
15 just discussed?

16 THE DEFENDANT: Yes.

17 THE COURT: I have in front of me a written  
18 agreement between yourself and the government. It's  
19 been marked as Court Exhibit 1 and dated  
20 November 16, 2023.

21 Mr. Zhang, did you sign this agreement?

22 THE DEFENDANT: Yes, I did.

23 THE COURT: All right.

24 Mr. Carman, you also signed the agreement  
25 as well?

1 MR. CARMAN: I did, Your Honor.

2 THE COURT: All right. And, Mr. Weintraub,  
3 you also signed on behalf of the government?

4 MR. WEINTRAUB: Yes, Your Honor.

5 THE COURT: All right.

6 Mr. Zhang, do you have a copy of the  
7 agreement in front of you?

8 Yes?

9 THE DEFENDANT: Yes.

10 THE COURT: All right. Now, did you read  
11 this agreement carefully?

12 THE DEFENDANT: Yes.

13 THE COURT: And did you review the  
14 agreement with your lawyer?

15 THE DEFENDANT: Yes.

16 THE COURT: Have you had a chance to  
17 discuss the agreement with your lawyer?

18 THE DEFENDANT: Yes.

19 THE COURT: All right. Do you believe you  
20 understand this agreement, Mr. Zhang?

21 THE DEFENDANT: Yes.

22 THE COURT: All right. Turning to the  
23 government.

24 Does the government confirm and represent  
25 that the agreement before the Court contains the



1       entirety of any understanding between the United  
2       States Attorney's Office and this defendant?

3               MR. WEINTRAUB:   Yes.

4               THE COURT:   All right.  Mr. Carman, turning  
5       back to you.

6               Have you reviewed the agreement with  
7       your client?

8               MR. CARMAN:   I have, Your Honor.

9               THE COURT:   And did you review it with the  
10       assistance of an interpreter or have it translated,  
11       or was it not necessary?

12              MR. CARMAN:   I had the assistance of a  
13       translator.

14              THE COURT:   All right.  Now, Mr. Carman,  
15       does this agreement that's been marked as Court  
16       Exhibit 1 contain the entire agreement that your  
17       client has entered into with the government?

18              MR. CARMAN:   Yes, Your Honor.

19              THE COURT:   Mr. Zhang, turning back to you.  
20              Is there anything in this agreement that is  
21       not clear or that you need explained in any further  
22       detail now?

23              THE DEFENDANT:  No, Your Honor.

24              THE COURT:   All right.  Other than the  
25       promises contained in the agreement, has anyone made

1 any other promises that have caused you to plead  
2 guilty?

3 THE DEFENDANT: No, Your Honor.

4 THE COURT: All right. I want to now  
5 carefully go over with you what the penalties are  
6 for the crimes to which you may be pleading guilty.  
7 And I'll be referring to the agreement itself.

8 Count 1, conspiracy to commit bank fraud.  
9 The statute you are accused of carries a maximum  
10 term of imprisonment of 30 years. There is no  
11 minimum term of imprisonment. The maximum  
12 supervised release term is five years to follow any  
13 term of imprisonment. If a condition of release is  
14 violated, you may be sentenced to up to three years  
15 without credit for prerelease imprisonment or time  
16 previously served on post-release supervision.

17 There's a \$1 million maximum fine.  
18 Restitution does not apply, and you may be subjected  
19 to criminal forfeiture set forth in the agreement.  
20 There is also a \$100 special assessment. You may  
21 also be subjected to denaturalization and removal,  
22 as set forth in the agreement as well.

23 Count 8, conspiracy to operate an  
24 unlicensed money transmitting business, carries a  
25 maximum term of imprisonment of five years. There

1 is no minimum term of imprisonment. There is a  
2 maximum supervised release term of three years to  
3 follow any term of imprisonment. And if you violate  
4 any terms of your release, you may be sentenced to  
5 up to an additional two years without credit for  
6 prerelease imprisonment or time previously served on  
7 post-release supervision. There is a maximum fine  
8 of \$250,000 or twice the gross gain or loss,  
9 whichever is greater.

10 Let me turn to the government.

11 Does the government have an estimate as to  
12 Count 8 as to the gross gain or gross loss?

13 THE INTERPRETER: Sorry. I missed that.

14 MR. WEINTRAUB: For Count 8, the estimated  
15 gross gain is approximately \$2,172,271.73.

16 THE DEFENDANT: So, Your Honor, this is  
17 going to be twice as the gross gain; am I correct?

18 THE COURT: Yeah. So twice that amount  
19 comes out to \$4,344,543.46.

20 All right. Now, with respect to this  
21 count, restitution does not apply. You are  
22 subjected to criminal forfeiture as set forth in the  
23 agreement. There is a \$100 special assessment. And  
24 you may be subjected to denaturalization and removal  
25 as set forth in the agreement.

1           Now, in Count 10, conspiracy to commit wire  
2       fraud, the statute contains a maximum term of  
3       imprisonment of 20 years. There is no minimum term  
4       of imprisonment. The maximum supervised release  
5       term is three years to follow any term of  
6       imprisonment. And if you violate any terms of your  
7       release, you may be subjected to additional two  
8       years of imprisonment. The maximum fine is  
9       \$250,000, or twice the gross gain or loss, whichever  
10      is greater.

11           Turning back to the government, do you have  
12      an estimate as to the gross gain or loss in this  
13      count?

14           MR. WEINTRAUB: Yes. For Count 10, the  
15      approximate gross loss is \$18,008,196.68.

16           THE COURT: Now, twice the gross gain or  
17      gross loss comes to \$36,016,393.36.

18           Restitution is mandatory in the full amount  
19      of each victim's losses as determined by the Court,  
20      but not less than \$18 million or \$18,008,196.68.

21           You are subject to criminal forfeiture as  
22      set forth in the agreement as well. There is a \$100  
23      special assessment. And you may be subject to  
24      denaturalization and removal.

25           Under Count 11, money laundering

1 conspiracy, the statute contains a maximum term of  
2 imprisonment of ten years. There is no minimum term  
3 of imprisonment. The maximum supervised release  
4 term is three years, and an additional two years if  
5 you violate any conditions of your release. The  
6 maximum fine is the greater of \$250,000 or twice the  
7 gross gain or loss.

8 Does the government have an estimate as to  
9 the gross gain or gross loss for Count 11?

10 MR. WEINTRAUB: The government's estimate  
11 for the gross gain for Count 11 is \$1,890,860.67.

12 THE COURT: Now, double that amount is  
13 \$3,781,721.34.

14 Restitution does not apply. And you may be  
15 subject to criminal forfeiture as set forth in the  
16 agreement. There is a \$100 special assessment, and  
17 you may be subject to denaturalization and removal.

18 Now, Count 27, aggravated identity theft  
19 contains a maximum term of imprisonment of two years  
20 and a two-year minimum. The maximum supervised  
21 release term is one year to follow any term of  
22 imprisonment. And if you violate any conditions of  
23 your release, you may be imprisoned for an  
24 additional one year as well.

25 There is a maximum fine of \$250,000.

1 Restitution does not apply. There is a \$100 special  
2 assessment. You may be subject to denaturalization  
3 and removal.

4 Now, Count 28, conspiracy to commit  
5 passport fraud contains a maximum term of  
6 imprisonment of five years. There is no minimum  
7 term. The maximum supervised release term is three  
8 years. And if you violate any conditions of your  
9 release, you may be imprisoned for an additional two  
10 years.

11 There is a maximum fine of \$250,000.  
12 Restitution does not apply. You may be subject to  
13 criminal forfeiture as set forth in the agreement.  
14 There is a \$100 special assessment. And you may be  
15 subject to denaturalization and removal.

16 I just want to go back in case I wasn't  
17 clear. For Count 8, the maximum fine, it's \$250,000  
18 or twice the gross gain or loss, whichever is  
19 greater, okay? Just want to make sure I was clear  
20 on that.

21 You also consent to forfeiture as set forth  
22 in paragraph 6 of the agreement. The forfeiture  
23 amount is \$1,341,623.06. And you also consent to  
24 forfeiture of the forfeitable assets as set forth in  
25 the agreement.

1           As part of the agreement, you also agree to  
2           waive any hearings or jury trial on the issue of  
3           forfeiture.

4           THE DEFENDANT: Yes.

5           THE COURT: And I want to remind you, in  
6           the event you were not a U.S. citizen, your  
7           conviction may result in deportation as well.

8           In light of all of these potential  
9           penalties, do you still wish to plead guilty today?

10          THE DEFENDANT: Yes.

11          THE COURT: Mr. Zhang, I want to discuss  
12          with you the sentencing scheme and how it works here  
13          in federal court.

14          Mr. Zhang, Judge DeArcy Hall does not have  
15          complete discretion to impose a sentence outside of  
16          the statutory minimum and maximum sentences set  
17          forth in the statutes.

18          Do you understand that?

19          THE DEFENDANT: Yes.

20          THE COURT: As a first step, the Court must  
21          consider the advisory sentencing guidelines issued  
22          by the United States Sentencing Commission in  
23          determining what is a reasonable sentence in a  
24          criminal case.

25          While the sentencing guidelines are only

1 advisory now, they remain an important consideration  
2 in sentencing, and Judge DeArcy Hall will take them  
3 into account in determining what sentence to give  
4 you.

5 Do you understand?

6 THE DEFENDANT: Yes.

7 THE COURT: Have you discussed the  
8 sentencing guidelines with your lawyer and how those  
9 guidelines are calculated?

10 THE DEFENDANT: Yes.

11 THE COURT: As a second step, the Court  
12 must consider whether there are any factors set  
13 forth in 18 U.S.C. § 3553(a) against all of the  
14 facts and circumstances of this case, and it may be  
15 that what is called a non-guideline sentence may be  
16 appropriate.

17 The bottom line is that until the date of  
18 sentencing, you cannot know with certainty what the  
19 guidelines will be, or whether there will be grounds  
20 to depart from them, or whether the court will  
21 impose what is called a non-guideline sentence.

22 Do you understand?

23 THE DEFENDANT: Yes.

24 THE COURT: Prior to your sentencing  
25 hearing, Judge DeArcy Hall will receive a



1 presentence report from the Probation Department,  
2 which will recommend a guideline range.

3 THE DEFENDANT: Yes.

4 THE COURT: Your lawyer will have the  
5 opportunity to read the presentence report and  
6 challenge the facts in it as reported by the  
7 Probation Department.

8 Do you understand?

9 THE DEFENDANT: Okay.

10 THE COURT: It is important for you to know  
11 what the possible guideline sentences are based upon  
12 the facts available at this point in time, keeping  
13 in mind that this is a guess that could be wrong.

14 Do you understand?

15 THE DEFENDANT: Okay.

16 THE COURT: Does the government have an  
17 estimate as to the term of imprisonment in this  
18 case?

19 MR. WEINTRAUB: Yes, Your Honor. After  
20 application of all applicable enhancements and  
21 reductions, including for acceptance of  
22 responsibility, the government estimates that the  
23 defendant would be in Criminal History Category I,  
24 and that his estimated guidelines range would be 235  
25 to 293 months imprisonment.

1           THE COURT: Mr. Carman, do you agree with  
2           that estimate?

3           MR. CARMAN: Your Honor, the only thing I  
4           question is the way the question was put to the  
5           government, which was, do you have an estimate as to  
6           what the prison term would be, as opposed to what  
7           the estimated guidelines would be.

8           So I don't want my client to think that  
9           either the government or his attorney have any  
10          ability to -- we can certainly estimate, but, you  
11          know, we can't really say what the sentence would  
12          be. And there are other factors that are clearly at  
13          play in calculating what ultimately will be the  
14          sentence imposed.

15          THE COURT: Understood. So let me rephrase  
16          the question.

17          Does the government have an estimate as to  
18          what the sentencing guidelines would be in this  
19          case?

20          MR. WEINTRAUB: Yes. The government  
21          estimates that the advisory guidelines range of  
22          imprisonment would be 235 to 293 months  
23          imprisonment.

24          THE COURT: All right.

25          Mr. Carman, do you agree with that

1 estimate?

2 MR. CARMAN: I do.

3 THE COURT: Okay. All right.

4 Turning back to you, Mr. Zhang, the  
5 government estimates, based on the sentencing  
6 guidelines, that the range could be anywhere from  
7 235 to 293 months.

8 Do you understand that this is an estimate  
9 that is not binding on the government, probation or  
10 Judge DeArcy Hall?

11 THE DEFENDANT: Yes.

12 MR. CARMAN: Your Honor, if I could just  
13 butt in one more time --

14 THE COURT: Sure.

15 MR. CARMAN: I think it's also fair to say  
16 that the estimate is not binding upon the defendant.  
17 Sometimes agreements say that, but I don't think in  
18 this case that would apply.

19 THE COURT: All right.

20 So, Mr. Zhang, just to make sure you  
21 understand. You understand that if this estimate is  
22 wrong, you'll not be permitted to withdraw your plea  
23 of guilty?

24 Do you understand that?

25 THE DEFENDANT: Okay.

1 THE INTERPRETER: Your Honor?

2 THE COURT: Go ahead.

3 THE INTERPRETER: Defendant would like to  
4 consult with the attorney.

5 THE COURT: Fine. Go ahead.

6 (Discussion held off the record.)

7 MR. CARMAN: All set, Your Honor.

8 THE COURT: All right. So what is your  
9 answer to the last question? Or do you want me to  
10 repeat the question?

11 THE DEFENDANT: Yes.

12 THE COURT: All right. Let me repeat the  
13 question.

14 Mr. Zhang, do you understand that if this  
15 estimate is wrong, you will not be permitted to  
16 withdraw your plea of guilty?

17 Do you understand that?

18 THE DEFENDANT: Yes.

19 THE COURT: Mr. Zhang, it's important for  
20 you to know that Judge DeArcy Hall is not bound by  
21 anything in this agreement or what the government or  
22 your attorney estimate the sentencing guidelines to  
23 be.

24 Do you understand that?

25 THE DEFENDANT: Okay.

1           THE COURT: Judge DeArcy Hall can sentence  
2 you according to her interpretation of the  
3 sentencing guidelines and the law.

4           Do you understand?

5           THE DEFENDANT: Yes.

6           THE COURT: Although Judge DeArcy Hall will  
7 consider the sentencing guidelines as one factor in  
8 determining what your sentence will be, she has the  
9 authority under the law to decide upon and impose a  
10 sentence that is more severe or less severe than the  
11 sentencing guidelines.

12          Do you understand?

13          THE DEFENDANT: Yes.

14          THE COURT: Finally, under the guideline  
15 sentencing system, there's no parole board or parole  
16 commission. What that means, practically speaking,  
17 is that whatever sentence you do receive from Judge  
18 DeArcy Hall, that will be pretty much close to the  
19 actual amount of time you spend in prison.

20          THE DEFENDANT: Yes.

21          THE COURT: You will not have the  
22 opportunity to appeal to the parole board to get out  
23 early because there's no parole board in the federal  
24 sentencing system.

25          Do you understand that?

1 THE DEFENDANT: Yes.

2 THE COURT: Also, as set forth in the  
3 agreement, you agree not to file an appeal or  
4 otherwise challenge the conviction or sentence in  
5 the event the Court imposes a term of imprisonment  
6 of 240 months or below.

7 THE DEFENDANT: Yes.

8 THE COURT: You understand that this  
9 provision in the agreement means that, if the judge  
10 sentences you to any term of prison 240 months or  
11 below, you cannot challenge whether or not that  
12 sentence is permissible.

13 Do you understand?

14 THE DEFENDANT: Yes.

15 THE COURT: And this is contained in  
16 paragraph 3 of the agreement.

17 Is this waiver voluntary?

18 THE DEFENDANT: Sorry?

19 THE COURT: I'm referring to paragraph --  
20 this is in paragraph 3 of the agreement. All right.

21 Now, is this waiver of your appeal  
22 voluntary?

23 THE INTERPRETER: Is this the paragraph 3?

24 MR. CARMAN: Yeah.

25 THE INTERPRETER: This one? This is the

1 one?

2 MR. CARMAN: Right here. This paragraph.  
3 The 240-month waiver of the right to appeal; is that  
4 voluntary?

5 THE DEFENDANT: Yes.

6 THE COURT: All right.

7 Also, as set forth in paragraph 3, nothing  
8 in the waiver of appellate or collateral review  
9 rights shall prevent you from raising a claim of  
10 ineffective assistance of counsel in an appropriate  
11 forum.

12 THE DEFENDANT: Yes.

13 THE COURT: All right. Mr. Zhang, do you  
14 have any questions that you want to ask me about the  
15 charges, your rights or anything else related to  
16 this matter that may not be clear to you?

17 THE DEFENDANT: No questions.

18 THE COURT: All right.

19 I turn to you, Mr. Carman.

20 Do you know of any reason why your client  
21 should not enter a plea of guilty to these charges?

22 MR. CARMAN: No, Your Honor.

23 THE COURT: And are you aware of any legal  
24 defenses to these charges at this time?

25 MR. CARMAN: No, Your Honor.

1           THE COURT: Turning back to you, Mr. Zhang,  
2 are you satisfied with your legal representation up  
3 until this point?

4           THE DEFENDANT: No problem. Good.

5           THE COURT: All right. Are you ready to  
6 plead at this time?

7           THE DEFENDANT: Yes.

8           THE COURT: All right. How do you plead to  
9 Count 1 of the indictment; guilty or not guilty?

10          THE DEFENDANT: Guilty. Guilty.

11          THE COURT: All right. How do you plead to  
12 Count 8 of the indictment; guilty or not guilty?

13          THE DEFENDANT: Guilty.

14          THE COURT: How do you plead to Count 10 of  
15 the indictment; guilty or not guilty?

16          THE DEFENDANT: Guilty.

17          THE COURT: How do you plead to Count 11 of  
18 the indictment; guilty or not guilty?

19          THE DEFENDANT: Guilty.

20          THE COURT: How do you plead to Count 27 in  
21 the indictment; guilty or not guilty?

22          THE DEFENDANT: Guilty.

23          THE COURT: And finally, how do you plead  
24 to Count 28 of the indictment; guilty or not guilty?

25          THE DEFENDANT: Guilty.



1 THE COURT: Are you making these pleas of  
2 guilty voluntarily and of your own free will?

3 THE DEFENDANT: Yes.

4 THE COURT: Has anyone threatened or forced  
5 or pressured you to plead guilty?

6 THE DEFENDANT: No.

7 THE COURT: Other than the agreement before  
8 the Court, has anyone made any other promises to you  
9 that have caused you to plead guilty?

10 Has anyone promised you what sentence you  
11 would receive from Judge DeArcy Hall if you were to  
12 plead guilty?

13 THE DEFENDANT: No.

14 THE COURT: All right. At this time, we  
15 can take each count separately or we can do it  
16 together. But, Mr. Zhang, why don't you tell me in  
17 your own words what you did in connection with  
18 Count 1, 8, 10, 11, 27 and 28.

19 How do you want to handle it, Mr. Carman?

20 MR. CARMAN: Your Honor, we've experimented  
21 with a couple of different solutions to this  
22 problem, but the one we came up with, I hope the  
23 Court will permit. We have reduced Mr. Zhang's  
24 statement of responsibility to writing in English.  
25 It has been translated to him in Mandarin. He is --

1 he agrees with the translation, and he reads English  
2 quite well. His pronunciation is very good. And  
3 so, with the Court's permission, I would ask that he  
4 be permitted to read his statement of responsibility  
5 as to each count from the preprepared document.

6 THE COURT: That's fine. Has the  
7 government seen the statement yet?

8 MR. CARMAN: Yes, Your Honor.

9 THE COURT: Okay.

10 Any objection from the government?

11 MR. WEINTRAUB: No, Your Honor.

12 THE COURT: All right. That's fine. He  
13 can read it in.

14 THE DEFENDANT: Do I have to stand, Judge?

15 THE COURT: No. You can remain seated, but  
16 speak slowly.

17 MR. CARMAN: Into the microphone.

18 THE DEFENDANT: Count 1, bank fraud  
19 conspiracy: Between September 2020 and May of 2022  
20 in Staten Island, I knowingly and intentionally  
21 agree with others to commit the crime of bank fraud  
22 by creating alias which were used to open bank  
23 accounts at FDIC-insured banks, including accounts  
24 at Wells Fargo Bank, in order to launder funds  
25 received in connection with our operation of the T5

1 investment fraud scheme.

2 Count 8, conspiracy to operate an  
3 unlicensed money transmitting business: Between  
4 January 2021 and July 2022 in Staten Island, I  
5 knowingly and willfully agree with other to commit  
6 the crime of operating an unlicensed money  
7 transmitting business.

8 The purpose of the money transmitting  
9 business was to have cash converted into cashier  
10 check using forged Chinese passports. In March of  
11 2022, while in the Eastern District of New York, I  
12 exchanged message with others to discuss revision  
13 that needs to be made in the ledgers that reflected  
14 the transaction of this business that I control  
15 it -- I controlled.

16 In March of 2022, I communicated with other  
17 regarding the amount of cash being converted to  
18 cashier checks. The business was not a licensed  
19 money transmitting business in the State of New  
20 York.

21 Count 10, conspiracy to committing wire  
22 fraud: Between May of 2021 and August of 2022 in  
23 Staten Island in the Eastern District of New York, I  
24 knowingly and intentionally agree with others to  
25 participate in a scheme known as T5 to fraudulently

1 obtain money from investors with the intent to  
2 default them. We use the Internet, telephone and  
3 text in connection with our efforts to fraudulently  
4 obtain investor funds and communicate with each  
5 other regarding the operation of the scheme,  
6 including sending text message in the Eastern  
7 District of New York.

8 Count 11, conspiracy to commit money  
9 laundry -- laundering: Between May 2021 -- I'm  
10 sorry -- and August 2022 in Staten Island, I  
11 knowingly and intentionally agree with other to  
12 conduct electronically -- electronic money transfer  
13 through local banks involving funds obtained  
14 unlawfully from the T5 investment fraud scheme. The  
15 amount of at least one of the transfer exceeded  
16 \$10,000 -- 10,000 -- and involved a bank in the  
17 United States and oversea banks.

18 Count 27, aggravated identity theft: On or  
19 about September 30, 2021 in Staten Island, I  
20 knowingly possess and use a New York State driver  
21 license of another person without lawful authority  
22 and in connection with my agreement to fraudulently  
23 obtain money from investor in the T5 scheme.

24 Count 28, conspiracy to commit passport  
25 fraud: Between December 2021 and July of 2022 in

1 the Eastern District of New York, I knowingly and  
2 willfully agree with other to commit the crime of  
3 passport fraud in that we knowingly use forged  
4 passport to engage in banking transaction. Another  
5 person used a passport bearing the name Yulong Chen  
6 when making a \$52,500 deposit at a bank in  
7 Borough Park without lawful authority to do so.

8 THE COURT: Let me turn to the government.

9 Do we need to clarify any parts of that  
10 allocution?

11 MR. WEINTRAUB: Yeah. I just want to make  
12 a few quick points.

13 With respect to Count 8, the government  
14 would just proffer that the act of converting cash  
15 into cashier's checks and putting the cash into the  
16 banking system affected interstate commerce.

17 THE COURT: All right.

18 Mr. Carman, do you agree?

19 MR. CARMAN: Yes, Your Honor.

20 THE COURT: All right.

21 MR. WEINTRAUB: And if I may just have one  
22 quick moment ...

23 THE COURT: Take your time.

24 MR. WEINTRAUB: If I may confer with  
25 defense counsel for a moment ...

1 THE COURT: Go ahead.

2 (Discussion held off the record.)

3 MR. CARMAN: I got it right here.

4 As to Count 28, he wants you to acknowledge  
5 that on January 20, 2022, that you sent the message,  
6 all right, via a messaging application to others.  
7 You don't have to mention their names. To others --

8 THE INTERPRETER: Sent to others.

9 MR. CARMAN: -- providing information  
10 regarding the use of passports to obtain cashier's  
11 checks and steps to be taken to avoid detection.

12 Do you understand what that means?

13 MR. WEINTRAUB: And if it's -- if it's  
14 preferable, I can just ask the question.

15 MR. CARMAN: I was just going to suggest  
16 that.

17 MR. WEINTRAUB: Your Honor, if I may  
18 briefly --

19 THE COURT: Yes. Go ahead.

20 MR. WEINTRAUB: Okay.

21 Mr. Zhang, on about January 20, 2022, did  
22 you send a text message to others regarding -- or  
23 providing instructions regarding the use of  
24 counterfeit or forged passports to obtain cashier's  
25 checks and provide instructions regarding steps to

1 be taken to avoid detection as described in Overt  
2 Act A of paragraph 62 of the indictment?

3 MR. CARMAN: Do you understand?

4 Here, I can -- you want to read it?

5 THE INTERPRETER: Yeah.

6 THE DEFENDANT: Correct.

7 MR. WEINTRAUB: Okay. Thank you,

8 Your Honor.

9 And then just for the record, when the  
10 defendant was stating the dates, just -- the dates  
11 were always in terms of years, just to make that  
12 clear. The --

13 THE COURT: Why don't you give us an  
14 example.

15 MR. WEINTRAUB: I'll just say that it was  
16 very -- it was read very well, so I want to give  
17 credit, but I think the defendant said things in the  
18 nature of "September 2020th." And I just want to  
19 make it clear for the record and the transcript,  
20 it's September 2020, the year 2020, not the 20th day  
21 of September. So for all instances, that's noted  
22 for the transcript.

23 THE COURT: All right. So we have a very  
24 clean record, why don't you read into the record the  
25 dates --

1 MR. WEINTRAUB: Sure.

2 THE COURT: -- that were read by the  
3 defendant.

4 MR. WEINTRAUB: Sure. For Count 1, the  
5 date range is between September 2020 and May 2022.

6 THE COURT: Okay.

7 MR. WEINTRAUB: For Count 8, the date range  
8 is January 2021 through July 2022. For Count 10,  
9 the date range is May 2021 through August 2022. For  
10 Count 11, the date range is May 2021 through August  
11 of 2022. For Count 27, the date is on or about  
12 September 30, 2021. And for Count 28, the date  
13 range is December 2021 through July 2022.

14 THE COURT: Mr. Carman, do you agree with  
15 those dates?

16 MR. CARMAN: I do.

17 THE COURT: All right.

18 Anything else, Mr. Weintraub?

19 MR. WEINTRAUB: No. Thank you, Your Honor.

20 THE COURT: All right. So you are  
21 satisfied with the allocution at this time?

22 MR. WEINTRAUB: Yes, Your Honor.

23 THE COURT: And does the government confirm  
24 that the elements have been satisfied?

25 MR. WEINTRAUB: Yes, Your Honor.



1 THE COURT: All right.

2 Turning to you, Mr. Carman.

3 Do you also agree that the allocution is  
4 factually sufficient?

5 MR. CARMAN: Yes.

6 THE COURT: Mr. Weintraub, anything else  
7 needed for purpose of Rule 11?

8 MR. WEINTRAUB: No, Your Honor.

9 THE COURT: All right.

10 Mr. Carman, do you agree?

11 MR. CARMAN: I do.

12 THE COURT: At this time, based on the  
13 information given to me, I find that the defendant,  
14 Mr. Zhang, is acting voluntarily; that he fully  
15 understands the charges against him, his rights and  
16 the consequences of his plea; and that there are  
17 factual bases for the plea as well; that the plea  
18 did not result from any force, threats or any  
19 undisclosed promises.

20 It will be my recommendation to  
21 Judge DeArcy Hall that she accept Mr. Zhang's guilty  
22 pleas to Counts 1, 8, 10, 11, 27 and 28.

23 I have been informed by Judge DeArcy Hall's  
24 chambers that a sentencing hearing has been  
25 scheduled for May 1, 2024 at 11 a.m.

1 THE INTERPRETER: What is the date? Sorry.

2 THE COURT: May 11th -- I'm sorry. May 1,  
3 2024 at 11 a.m.

4 Anything else from the government today,  
5 Mr. Weintraub?

6 MR. WEINTRAUB: No. Thank you, Your Honor.

7 THE COURT: Anything else for the  
8 defendant, Mr. Carman?

9 MR. CARMAN: No, Your Honor. Thank you.

10 THE COURT: All right. We are adjourned.

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C E R T I F I C A T E

I, Adrienne M. Mignano, certify that the foregoing transcript of proceedings in the case of USA v. Jin Hua Zhang; Docket #22CR0458 was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature Adrienne M. Mignano  
ADRIENNE M. MIGNANO, RPR

Date: November 22, 2023